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Attorney Docket No. 7790/46 (D. 00000)

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# TRANSMITTAL FORM

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Attorney Docket No.	7780/16 (P-00303)
Application Number	10/005,391
Filing Date	DECEMBER 5, 2001
First Named Inventor	RODNEY E. NORWOOD
Group Art Unit	· 3635
Examiner	GREEN, C. M.

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	ENCLOSURES (check all that apply)												
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Firm		FRANK C. NIC											
<i>Of</i> Individu	ual name	Registration N CARDINAL LA							,				
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addres	sed to: Commis	sioner for Pater	nts, P.O	. Box 1	450,	Alexandria, VA	222	02-1450 on th	is date:			February 27	<u>, 2006</u>
Signatu	addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22202-1450 on the Signature  FRANK C. NICHOLAS (33,983)									Date: February 27, 2006			

MAR 0 3 2006 With add

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22202-1450 on this date:

February 27, 2006 (Date of Transmission

FRANK C. NICHOLAS (33,983)

Name of applicant, assignee or registered representative

Signature

February 27, 2006

Date of Signature

PATENT Case No. 7780/16 (P-00303)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	)
RODNEY E. NORWOOD	) Examiner: Green, Christy Marie
Serial No.: 10/005,391	)
Filed: DECEMBER 5, 2001	) Group Art Unit: 3635
Title: MOBILE CELLULAR	)
TELEPHONE TOWER	)

#### PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22202-1450

Dear Sir:

Applicant petitions for a ruling that this case is not in fact abandoned.

February 27, 2006

Case No.: 7780/16 (P-00303)

Serial No.: 10/005,391

Page 2 of 2

The PTO issued a notice of abandonment dated November 29, 2005 indicating that Applicant did not timely pay the publication fee. However, Applicant did, in fact timely pay the publication fee.

Attached hereto is a copy (Exhibit A) of the transmittal form filed with the issue fee payment of September 27, 2005 indicating that the Commissioner was authorized to charge any fees which may be required to deposit account 50-1713. A duplicate copy of the sheet was also filed. A copy of the OIPE stamped transmittal form is also attached as Exhibit B, and the complete package filed on September 27, 2005 (including the 5 pages faxed to the PTO with the auto-reply facsimile transmission indicating 5 pages received) is attached as Exhibit C.

Therefore, Applicant did in fact timely authorize the Commissioner to charge the publication fee at the same time as the issue fee. Thus, the holding of abandonment is a PTO mistake.

Applicant requests a holding that this case is not abandoned, and has never been abandoned. Applicant requests that the case then proceed to issuance with all due haste.

Respectfully submitted,

Dated: February 27, 2006

CARDINAL LAW GROUP

**Suite 2000** 

1603 Orrington Avenue Evanston, Illinois 60201

Phone: (847) 905-7111 Fax: (847) 905-7113 Frank C. Nicholas

Registration No. 33,983 Attorney for Applicant



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

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Attorney Docket No.	7780/16 (P-00303)
Application Number	10/005,391
Filing Date	DECEMBER 5, 2001
First Named Inventor	RODNEY E. NORWOOD
Group Art Unit	3635
Examiner	GREEN, C. M.

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**Exhibit A** 

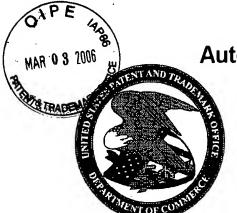
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PTC/SB/21 (12 07), Appeared in two probage 6/30/00 One6 0661 00031 PL Littles die Physis Rodulium Alled (1006, no presione are response to response to a const on Office, U.S. DEANTINENT OF COMMERCE Attorney Docket No. 7780/16 (P-00303) Application Number 10/005,391 Fung Date DECEMBER 5, 2001 First Named Inventor RODNEY E. NORWOOD Group Art Unit Examiner GREEN, C M ENCLOSURES (check all that apply) Appeal Communication to Board of Assignment Papers Amendment Appeals and Interferences After Final Diawings: Appeal Brief PART B - ISSUE FEE TRANSMITTAL Affidavits/declaration(s) Petrion Routing Stip (PTO/SB/69) and Propretary Information Accompanying Petition To Convente Post Card Receipt Provisional Application Additional Enclosure(s) Extension of Time Request (duplic) Change of Correspondence Address (prease loonutly below): Express Aparitonment Request Terminai Discisimei Supplemental Information Disclosure Small Entry Statement Statement, PTO-1449, art Certified Copy of Priority Document(s) Request of Refund The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1713 (Cardinal Law Group). A Response to Missing Parts/ Incomplete Application duplicate copy of this sheet is enclosed. I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 50-1713 (Cardinal Law Group). A

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Fum LESLIE B. WILSON or Registration No. 33,818 Individual name CARDINAL LAW GROUP 1803 Orington Avenue, Suite 2000 Evanston, IL. 80201													
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PAGE 215 \* RCVD AT 9/27/2005 4:52:56 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/30 \* DNIS:2732885 \* CSID:+18479057113 \* DURATION (mm-ss):02-26

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1603 Orrington Avenue/Suite 2000 Evanston, Illinois 60201 Telephone 847 - 905 - 7111 Facsimile 847 - 905 - 7113

Date:

**SEPTEMBER 27, 2005** 

To:

U.S. PATENT AND TRADEMARK OFFICE

ISSUE FEE

Fax #:

(571) 273-2885

From:

LESLIE B. WILSON (847) 905-7111

Phone:

Client/Matter No.:

7780/16 (P-00303)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

LESLIE B. WILSON (33,816)

Attorney Docket No.	7780/16 (P-00303)						
Application Number	10/005,391						
Filing Date	DECEMBER 5, 2001						
First Named Inventor	RODNEY E. NORWOOD						
Group Art Unit	3635						
Examiner	GREEN, C. M.						

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7	7590 07/15/2005			have it	ls own certifica	te of mailing or transmission.					
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10/005.391	12/05/2001	······	Rodney Ear	l Norwood		7780/16 (P-00303)	6990				
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lease check the appropriate	assignee category or categor	ies (will not be pri	nted on the pat	ent): 🗖 Ind	ividual 🖾 Co	orporation or other private gro	oup entity Government				
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